

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Land Acquisition – Kurnool Dist. – Atmakur (M) & (V) in Sy.No. 626/A2 etc., measuring an extent of 1172 acres – Lands acquired for formation of road from Kurnool to Atmakur road to Varada Raja Swamy Project - LAOP No. 12/89 on the file of the Sr.Civil Judge, Atmakur, - AS Nos 2375, 2379, 2389, 2387, 2371, 2040, 2433, 2244 of 1999 in LAOP Nos. 6,8,9,13,14,17,21,22 of 1989 (8 cases) – Appeals allowed by the Hon'ble APHC – Enhanced land compensation from Rs. 7,000/- to 70,000/- per acre – SLP dismissed by Supreme Court of India – proposals for sanction of Rs. 20,64,032/- –Orders-Issued.

IRRIGATION & CAD (PW.LA.II) DEPARTMENT

G.O.RT.NO. 749

Dated: 25 .09.2009
Read the following:-

- 1) From the Collector & Dist. Magistrate, Kurnool, Rc.No. G1.245/1999, dt. 22.05.2009
- 2) From the CCLA, AP., Hyd., Lr.No. G4/817/2009, dt 27/6/2009.

O R D E R:

In the reference Ist read above, the Collector, Kurnool has reported that an amount of Rs.19,78,939/- in LA OP Nos. 6,8,9,13,14,17,21,22 of 1989 (8 cases of Atmakur (V) and (M) stating that the Lower Court in Award No. 11/86, dt: 15/9/86 enhanced the market value from Rs.7,000/- to 15,000/- per acre in LA OP No. 12/89 and batch case. Aggrieved by the Lower Court orders, the State preferred an appeal before the Hon'ble High Court of A.P., Hyderabad on 14/12/1999 granted interim stay on the condition to deposit entire decretal amount within 8 weeks from the date of order dt. 27/1/2000 in ASSR No. 92271/1999 in CMP No. 27931/1999 and LA OP No. 18/1989 and batch and the respondents were permitted to withdraw half of the amount by furnishing security pending disposal of the cases in LAOP No. 18/1989 and batch in AS No. 123/2000 and batch (19 cases). Accordingly the amount of Rs. 5, 40,074/- was deposited in the reference Court, Atmakur on 02/07/2005. He has further stated that the Govt. Pleader for Appeals, High Court of A.P., has sent certified copies of judgment and decree in AS Nos. 2375, 2379, 2389, 2387, 2371, 2040, 2433, 2244 of 1999 in LAOP Nos. 6,8,9,13,14,17,21,22 of 1989 (8 cases) on 2/12/2005 enhancing the market value from Rs. 15,000/- to 70,000/- PA by partly allowing the appeals with entitlement to all the statutory benefits under the amended provisions of the L.A. Act including interest on solatium and additional market value. It has been further stated that the Division Bench of Hon'ble High Court had rightly assessed the market value @ Rs. 70,000/- per acre and the Hon'ble Supreme Court of India, New Delhi has dismissed the SLP vide orders dt. 26/9/08.

2. The District Collector, Kurnool has submitted the decretal proposals for an amount of 19,78,939/- in O.P. No. 6,8,9,13,14,17,21,22 of 1989 (8 cases) pertaining to Atmakur (V) & (M), Kurnool Dist. The CCLA, Hyderabad has forwarded the proposal for sanction an amount of Rs. 20,64,032/- (Rupees Twenty lakhs Sixty four thousand and thirty two only) in respect of OP Nos. 6,8,9,13,14,17,21,22 of 1989 (8 cases) pertaining to Atmakur (V) & (M), Kurnool Dist and recommended the Government to sanction the amount.

3. Government after carefully examined the matter hereby sanction of decretal charges for an amount of Rs. 20,64,032/- (Rupees Twenty lakhs Sixty four

thousand and thirty two only) in respect of OP Nos. 6,8,9,13,14,17,21,22 of 1989 (8 cases) pertaining to Atmakur (V) & (M), Kurnool Dist. to subject to verification whether the reference under Section 18(1) of the L.A. Act is made to the lower Court after following all the guidelines / directions on the subject and in case it is detected that Sec. 18 reference was made contrary to the rules / guidelines issued by the Government / Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the government / Special Chief Secretary to Government and chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower Court.

4. The expenditure sanctioned in para(4) above shall be debitible to Head of Account under "4702 -COL on Minor Irrigation-M.H. 101 - Surface water-G.H.(11) Normal State Plan-S.H.(12) C & R-MI Sources-530-Minor works-532-Land Charged". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure may be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5. This order issues with the concurrence of Finance(W&P) Department vide their U.O.No.3291/F5/A1/09, dt.27-08-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RALJIV RANJAN MISHRA,
SECRETARY TO GOVERNMENT

To

The District Collector, Kurnool

The Special Chief Secretary to Govt. & Chief Commissioner
of Land Administration, Hyderabad

The Chief Engineer(P),Varada Raja Swamy Project, Atmakur

The Chief Engineer(P), Irrigation, Kurnool.

The Special Deputy.Collector, (LA),Atmakur,Kurnool District

The Revenue Divisional Officer, Kurnool

The Accountant General, AP, Hyderabad

The Director of Works Accounts, Hyderabad.

The District Treasury officer, Kurnool

The Joint Director, Works & Accounts,VRSp, Atmakur,

The Pay & Accounts Officer ,TGP,Kurnool

Copy to:-

The P.S.to Minister (Major Irrigation)

The P.S. to Secretary(Irrigation&CAD),

The Law Department

The Finance(Works & Projects)Department/File C.No.16045/L.A.II(1)/09,
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER